

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

October 23, 2000

C033065 THE PEOPLE v. YAHUACA (Not for Publication)
It is ordered that the opinion filed herein on September 27, 2000, be modified as follows:

...
There is no change in the judgment.
Appellant's petition for rehearing is denied.
BLEASE, Acting P.J.
Nicholson, J.
Raye, J.

C033883 THE PEOPLE v. BOX (Not for Publication)
The judgment is affirmed.
DAVIS, J.
We concur: Blease, Acting P.J.
Callahan, J.

October 24, 2000

C027881 THE PEOPLE v. LADNER (Not for Publication)
C028559 THE PEOPLE v. HALEY
It is ordered that the opinion filed herein on September 25, 2000, be modified in the following particulars:

...
This modification does not change the judgment.

Appellant Ladner's Petition for Rehearing is denied.
MORRISON, Acting P.J.
Kolkey, J.

C033478 BAHRE et al. v. SICROFF (Not for Publication)
The order appealed from is affirmed. Plaintiffs' counsel, Randall Wiens, shall pay sanctions to defendant Sicroff in the amount of \$5,575.00 to compensate him for the expense of defending a frivolous appeal.
CALLAHAN, J.
We concur: Blease, Acting P.J.
Raye, J.

**COURT OF APPEAL
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The Minutes

October 24, 2000 Continued

- C033372 THE PEOPLE v. MIRANDA (Not for Publication)**
The true finding on the allegation that defendant personally used a firearm while violating section 422 is reversed, and the sentence imposed thereon is vacated. The matter is remanded for a new trial on that allegation. In all other respects, the judgment is affirmed.
SCOTLAND, P.J.
We concur: Davis, J.
 Hull, J.
- C032706 THE PEOPLE v. ROBERT S. II (Not for Publication)**
The judgment is affirmed.
RAYE, Acting P.J.
We concur: Morrison, J.
 Callahan, J.
- C032412 THE PEOPLE v. OLMSTED (Certified for Publication)**
The conviction as to count seven is reversed. Defendant shall receive one additional day of credits. In all other respects, the judgment is affirmed. The matter is remanded to the trial court for the preparation and filing of an Amended Abstract of Judgment in accordance with this opinion. A copy thereof shall then be transmitted to the Department of Corrections.
DAVIS, Acting P.J.
We concur: Morrison, J.
 Callahan, J.
- C035031 THE PEOPLE v. RICHARDSON (Not for Publication)**
The judgment is affirmed.
CALLAHAN, J.
We concur: Nicholson, Acting P.J.
 Morrison, J.
- C034761 THE PEOPLE v. SINGH (Not for Publication)**
The judgment is modified to provide for a \$10 state penalty assessment and \$7 county penalty assessment. The trial court is directed to prepare an amended abstract of judgment to reflect the \$10 crime prevention fine, the \$156 main jail booking fee, and the \$32 main jail classification fee as well as the state and county penalty assessments of \$10 and \$7, respectively, and to forward a certified copy to the Department of Corrections. As modified, the judgment is affirmed.
CALLAHAN, J.
We concur: Nicholson, Acting P.J.
 Morrison, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

October 25, 2000 Continued

- C034169 THE PEOPLE v. BENNETT (Not for Publication)**
The judgment is modified to impose a \$50 criminal laboratory analysis fee, a \$50 state penalty assessment, and a \$35 county penalty assessment. As so modified, the judgment is affirmed. The trial court is directed to prepare an amended abstract of judgment, corrected as stated in this opinion, and to forward a certified copy of the amended abstract to the Department of Corrections.
CALLAHAN, J.
We concur: Nicholson, Acting P. J.
 Morrison, J.
- C035479 THE PEOPLE v. VALENZUELA (Not for Publication)**
The judgment is modified to reflect the imposition of a \$50 fee (Health & Saf. Code, § 11372.5), a \$50 state penalty assessment (Pen. Code, § 1464), and a \$35 county penalty assessment (Gov. Code, § 76000) upon the fee. The trial court is directed to prepare an amended abstract of judgment reflecting these modifications as well as noting that defendant was sentenced to the mid-term for both convictions, and directing the sentence imposed on the possession for sale conviction to be stayed. As modified the judgment is affirmed. The trial court shall forward a certified copy of the amended abstract to the Department of Corrections.
CALLAHAN, J.
We concur: Nicholson, Acting P.J.
 Morrison, J.
- C030185 REISS, M.D., et al. v. SNIDER et al. and EYTAN (Not for Publication)**
The judgment is modified insofar as the judgment includes a sanction award against defendants' lawyer. In all other respects, the judgment is affirmed. Plaintiffs shall recover their costs on appeal.
RAYE, J.
We concur: Blease, Acting P.J.
 Hull, J.
- C032373 WEISS v. SAN JUAN UNIFIED SCHOOL DISTRICT (Not for Publication)**
The judgment is affirmed.
MORRISON, J.
We concur: Scotland, P.J.
 Raye, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

October 26, 2000 Continued

C032687 THE PEOPLE v. AGUILAR (Not for Publication)
The order dismissing eight of defendant's nine strike priors is reversed, and the matter is remanded to the trial court with directions to reinstate these strikes and resentence accordingly under the three strikes law. In all other respects, the judgment is affirmed.
 HULL, J.
I concur: Nicholson, J.
I cannot agree that the trial court abused its discretion in striking eight of defendant's nine prior serious felony convictions.
...
Accordingly, I would affirm the judgment.
 Scotland, P.J.

October 27, 2000

C032922 THE PEOPLE v. HAWKINS (Not for Publication)
The trial court is instructed to amend the judgment (order of probation) to provide that defendant be given four days of presentence good conduct credits, in addition to the 10 days of presentence actual custody credits previously awarded by the trial court. As so modified, the judgment is affirmed.
 CALLAHAN, J.
We concur: Blease, Acting P.J.
 Davis, J.

C035477 THE PEOPLE v. OCEGUEDA (Not for Publication)
The judgment is affirmed.
 MORRISON, J.
We concur: Nicholson, Acting P.J.
 Callahan, J.

C033671 SLOVER v. GOLF LINKS RESERVE et al. (Not for Publication)
The judgment is affirmed.
 MORRISON, J.
We concur: Nicholson, Acting P.J.
 Raye, J.

C034608 Estate of FIRCH, Deceased; THE PARKINSONS INSTITUTE v. COSENS (Not for Publication)
The orders appealed from are affirmed.
 MORRISON, J.
We concur: Blease, Acting P.J.
 Davis, J.